

RENEWAL PLAN

## **MOUNT WINANS**

( PROJECT MD R-48 )

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RENEWAL PLAN

## **MOUNT WINANS**

(PROJECT MD R-48)

ORIGINALLY APPROVED BY  
THE MAYOR AND CITY COUNCIL OF BALTIMORE

BY ORDINANCE NO. 422

APRIL 21, 1969

REVISIONS SINCE ORIGINAL APPROVAL BY THE MAYOR AND CITY COUNCIL:

- I. Amendment No. 1, dated September 8, 1972, approved by the Mayor and City Council by Ordinance No. 282, dated March 19, 1973.
- II. Amendment No. 2, dated December 1, 1976, approved by the Mayor and City Council by Ordinance No. 309, dated April 25, 1977.
- III. Amendment No. 3, dated January 7, 1980, approved by the Mayor and City Council by Ordinance No. 26, dated March 17, 1980.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

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## A. DESCRIPTION OF PROJECT

### 1. Boundary Description

BEGINNING FOR THE SAME AT THE POINT OF INTERSECTION OF THE SOUTHEAST RIGHT-OF-WAY LINE OF THE BALTIMORE AND OHIO RAILROAD WITH THE CENTERLINE OF HOLLINS FERRY ROAD; THENCE FROM SAID POINT OF BEGINNING RUNNING WITH AND BINDING ON THE CENTERLINE OF HOLLINS FERRY ROAD SOUTHEASTERLY, SOUTHERLY AND SOUTHWESTERLY TO INTERSECT THE NORTH RIGHT-OF-WAY LINE OF THE CURTIS BAY BRANCH OF THE BALTIMORE AND OHIO RAILROAD; THENCE BINDING ON SAID RIGHT-OF-WAY LINE WESTERLY TO INTERSECT THE SOUTHEAST RIGHT-OF-WAY LINE OF THE BALTIMORE AND OHIO RAILROAD; THENCE BINDING ON THE SOUTHEAST SIDE OF SAID RIGHT-OF-WAY, NORTHEASTERLY TO THE POINT OF BEGINNING.

### 2. Urban Renewal Plan Objectives

- a. To achieve a good residential neighborhood for people of similar income and characteristics as those now living there.
- b. To provide a substantial number of housing units of low and moderate cost on land to be disposed of for residential purposes.
- c. To remove substandard buildings and to eliminate blighting influences.
- d. To provide land for needed open space and recreation.
- e. To provide improved neighborhood shopping facilities.
- f. To protect the neighborhood from future blighting influences.

### 3. Types of Proposed Renewal Action

Actions proposed for the project area will consist of the following:

- a. Clearance and redevelopment
- b. Rehabilitation
- c. Provision of public facilities such as street and utility improvements, parks and playgrounds, tree planting, street fixtures, and sidewalks.

## B. LAND USE PLAN

### 1. Land Use Map

Land uses, major thoroughfares, and all other public rights-of-way proposed for and existing to remain within the project area are shown on the Land Use Map, Exhibit No. 2. Proposed easements are shown on the Land Disposition Map, Exhibit No. 4.

## 2. Land Use Provisions and Building Requirements

### a. General Provisions

Hotels and transient housing shall not be permitted upon land to be acquired within the project area.

### b. Permitted Uses

The uses shown on the Land Use Map, Exhibit No. 2 will be permitted within the project area. These uses are residential, commercial, and public. In addition, certain existing uses will be permitted to continue operations subject to the provisions governing non-conforming and non-complying uses set forth below in Sections B.2.b.(4) and B.2.b.(5) of this plan.

#### (1) Residential

##### (a) Principal Uses

Single-family detached houses, single-family semi-detached houses, single-family or multiple-family attached dwelling units; and recreation facilities, landscaping, parking facilities and loading facilities related to the above uses are also permitted. Residential use shall be defined as to include condominiums and cooperative developments, and low and moderate cost housing, subsidized or unsubsidized.

Educational facilities; churches and church facilities; professional, civic, or institutional organizations; day nurseries and nursery schools; and landscaping, parking, and loading facilities related to the above uses.

##### (b) Accessory Uses

- i. An accessory use shall be limited to the lot on which the main use is established.
- ii. Customary home occupations, operated only by a resident family or member thereof, shall be permitted as accessory uses, provided that one non-illuminated sign, not over 8" wide and 16" long, located inside of the building, shall be the only means of advertising permitted and provided further, that no equipment, stock or machinery, other than that used in an ordinary dwelling, shall be permitted.

- iii. The office of a physician, dentist, architect, attorney, or other professional persons located in the bona fide residence of such professional person shall be permitted as an accessory use provided:

(a') that not more than two persons, not residents of the building in which such office is located, are employed;

(b') that such office use shall be confined to not more than the first floor or the basement of the building;

(c') that no parking of automobiles shall be permitted on or in the property so used except as hereinafter provided;

(d') that no advertising sign or device shall be displayed except that a flat, ornamental, non-illuminated sign not exceeding one square foot in area may be placed against the exterior of the building.

- iv. Special exceptions (physicians' and dentists' offices) subject to the decision of the Board of Municipal and Zoning Appeals after public notice and hearing. The office of a physician or of a dentist may be permitted as a Special Exception. Such office need not be located in a bona fide residence of the physician or dentist applying for the Special Exception. Any Special Exception approved by the Board of Municipal and Zoning Appeals shall not be impressed with the status of a non-conforming use, but shall be further limited as follows:

(a') It shall only be permitted in a building already erected for residential use, and there shall be no substantial change in the exterior of such building which would result in a lack of architectural harmony with adjacent residential buildings.

(b') No advertising sign or device shall be displayed except that a flat ornamental, non-illuminated sign, not exceeding one square foot in area may be placed against the exterior of the building.

(c') The Special Exception shall be limited to the office of a physician and of a dentist and shall not be a clinic or a hospital.

- v. Garages

The use, without repair facilities and without storage or sale of inflammable liquids, of:

(a') a building, covering not more than 660 square feet of a lot, for housing not more than three automobiles;

(b') space, not exceeding 660 square feet in area for housing not more than three automobiles within a building used as a dwelling.

In addition, the uses listed below will be permitted subject to the decision of the Board of Municipal and Zoning Appeals after public notice and hearing. For clarification, it is noted that the "garages" and "spaces to be used as garages" referred to in the following subparagraphs (a") through (d") may be substantially larger than those referred to above immediately in subparagraphs (a') and (b').

- (a") a garage, without repair facilities and without either storage or sale of inflammable liquids, in a rear yard;
- (b") a garage, without repair facilities and without either storage or sale of inflammable liquids, which is not within 75 feet of any street, and which is not in a rear yard;
- (c") a garage, without repair facilities and without either storage or sale of inflammable liquids, on or under the surface of a lot used as an apartment house;
- (d") a space, to be used as a garage, without repair facilities and without either storage or sale of inflammable liquids, within a building used as an apartment house.

## (2) Commercial

Bakeries without baking on the premises or bakeries where baked products prepared on the premises are sold on the premises; barber shops; beauty shops, and similar personal service shops; book, stationery, greeting card stores; bowling alleys; camera or photo supply shops; clothing or dry goods stores; confectionery stores, including snack bars and sale of candy and ice cream; delicatessens; drug stores and supermarkets; hardware stores; ice or ice cube dispensing - without manufacturing of ice on the premises; jewelry, metal craft, or watch stores; laundries, launderettes, laundry or dry cleaning collection and distribution stations, and dry cleaning or pressing establishments using only non-flammable solvents; lodges and clubs, musical instruments, sheet music, and record shops; news stands; offices, business and professional; restaurants, with or without liquor licenses except that drive-in restaurants shall not be permitted; shoe and shoe repair stores; sporting goods stores; tailor shops - including spot cleaning, pressing and repairs; liquor stores; tobacco shops; toy and variety stores; and similar types of sales, service and repair establishments.

Landscaping, loading facilities, and parking facilities related to the above uses are also permitted. No use shall be permitted which is noxious or offensive by reason of the emission of odor, dust, smoke, gas fumes, vibration, or noise.

## (3) Public

Schools; parks; playgrounds; recreation facilities; and landscaping, parking and loading facilities related to the above uses.



(4) Non-Conforming Uses

A non-conforming use is any lawfully existing use of a building or other structure, or of land, which does not conform to the applicable use regulations of the district in which it is located according to Article 30 of the Baltimore City Code (1976 Edition, as amended), titled "Zoning". Non-conforming uses shall be permitted to continue, subject to the provisions of Chapter 8 of said Article 30, titled "Non-Conformance".

(5) Non-Complying

A non-complying use, as set forth in Chapter 8 of Article 30 of the Baltimore City Code (1976 Edition, as amended), titled "Zoning", is any lawfully existing structure which does not comply with the bulk regulations of the zoning district in which it is located. These non-complying uses shall be permitted to continue, subject to the provisions of said Chapter 8.

In addition, a non-complying use -- when such term is used herein -- is any lawfully existing use of a building or other structure, or of land which does not comply with the land use regulations of this Plan. These non-complying uses shall be permitted to continue for an indefinite period of time, except that:

(1) any non-complying land use which is discontinued for a period exceeding twelve (12) months shall not be reestablished;

(2) no change in the permanent physical members of a structure, such as bearing walls, columns, beams, or girders, or no substantial change in the roof or in the exterior walls shall be made in or to a building or structure except those required by law or except to make the building and use thereof conform to the regulations of this Plan; and

(3) no non-complying land use shall be changed to any other non-complying land use.

c. Regulations, Controls and Restrictions on Land to Be Acquired

The following regulations, controls, and restrictions will be implemented where applicable by covenants or other provisions in the agreements for land disposition and instruments of conveyance executed pursuant thereto. Such regulations, controls, and restrictions are for the benefit of the City of Baltimore and shall be enforced solely by the City of Baltimore, except as noted in B.2.c.(1)(c) below:

(1) General Provisions Applicable to all Land and Property to be Acquired:

(a) The Redeveloper shall devote the land to those uses specified in the Plan and to no other uses.

- (b) The Department of Housing and Community Development specifically reserves the right to review and approve the Redevelopers' plans and specifications for redevelopment or rehabilitation with respect to their conformance with the provisions of the Plan and in order to achieve harmonious development of the project area. Such review and approval may be concerned with, but not necessarily limited to, site planning, architectural treatment, materials and color, signs, parking, loading, landscaping, and building plans, elevations, and construction details.
- (c) The Redeveloper shall not discriminate upon the basis of race, color, religion, sex, or national origin in the sale, lease, or rental or in the use or occupancy of the property or any improvements erected or to be erected thereon, or any part thereof. Such agreement or covenant providing for this nondiscrimination provision shall remain in effect without limitation as to time; and the United States shall be deemed a beneficiary of the agreement or covenant providing for this nondiscrimination provision and shall be entitled to enforce it. The Redeveloper shall comply with all state and local laws, in effect from time to time, prohibiting discrimination or segregation.

(2) Provisions Applicable to all Land to be Acquired Within Areas Proposed for Clearance and Redevelopment

(a) General Provisions

- i. No building, structure, or parking area shall be constructed over an easement within the project area without the prior written consent of the Commissioner of the Department of Housing and Community Development and the Director of Public Works.
- ii. In computing building coverage, land occupied by open pavilions, cabanas, canopies, and covered or weather-proof walkways shall not be included; however, all other structures, including accessory structures, shall be included.
- iii. All areas to be landscaped shall be appropriately landscaped with trees, shrubbery, and plantings (e.g. grass, ground cover, flower beds) in combination with related paving and surface treatment. All land not covered by structures or by paved parking, loading, or related service areas, or specifically required to be landscaped shall be landscaped as described above. All landscaping is to be maintained in good condition by the property owner as specified by disposition instruments.

- iv. All exterior (surface) parking areas shall be paved with a hard, dust-free surface; such areas shall be appropriately screened from all adjacent streets, and shall be landscaped with trees, planted at the minimum rate of one tree per 2,500 square feet of gross parking area. Such trees shall be planted at appropriate intervals within and throughout the paved surface of the parking area.
- v. Off-street parking spaces shall be calculated on the basis of 180 square feet per automobile exclusive of access aisles, driveways, ramps and related service areas, and shall be provided entirely within lot lines.
- vi. Off-street loading spaces shall not be less than 12 feet wide and 40 feet deep. This space, plus adequate maneuvering space shall be provided entirely within lot lines.
- vii. No materials shall be stored or permitted to remain outside buildings.
- viii. No waste material, refuse, or garbage shall be permitted to remain outside of buildings constructed therein except as permitted by the Baltimore City regulations regarding containers for garbage. The areas for such containers shall be properly screened.
- ix. No building shall be located as to interfere with proper sight distances at street intersections.
- x. No vehicular access shall be permitted from Hollins Ferry Road to Disposition Lots 1, 2, 7, 11, 11A, 12, and W.
- xi. Building Setbacks

(a') Residential

A minimum setback of ten (10) feet shall be required from all streets, except that for Residential Disposition Lots Nos. 7, 11, and 12, as shown on the Land Disposition Map, Exhibit No. 4, a minimum setback of twenty (20) feet is required from Hollins Ferry Road; this setback area shall be used only for landscaping and walkways. In addition, a minimum setback of five (5) feet shall be required from all other lot lines, except that for Residential Disposition Lots Nos. 6, 8, 9, 10, 13, 29, 30 31, 32, and 34 no such setback is required.

(b') Commercial

A minimum setback of ten (10) feet shall be required from all property lines. In addition, no building shall be constructed within 115 feet of the Huron Street property line of Disposition Lot 2, as shown on the Land Disposition Map, Exhibit No. 4. This setback area shall be used only for landscaping, walkways, and those portions of access drives perpendicular to the street right-of-way which necessarily lead to parking and loading spaces; this area shall not be used for nor considered in computing the parking and/or loading space requirements.

xii. Signs

(a') Residential and Public Disposition Lots

No signs other than those identifying the structure upon which they are installed or identifying the use conducted therein shall be permitted.

No signs shall extend above the roof line or parapet wall of the building to which it is attached. No signs shall project more than 12 inches from the building to which it is attached. No free-standing signs shall be permitted.

No animated or pulsating signs shall be permitted. The total area of exterior signs for each building shall not exceed in gross area one (1) foot times the street frontage, in feet, of the building.

(b') Commercial Disposition Lot

No signs other than those identifying the structure upon which they are installed or identifying the use conducted therein shall be permitted.

One free-standing single or double faced sign shall be permitted, not to exceed 80 square feet in size per face, identifying the lot as a commercial center. This sign shall extend no more than 18 feet above grade level and shall be located entirely within the lot lines. Any other sign shall be installed upon buildings and shall not extend above the roof line or parapet wall of the building to which it is attached, and shall not project more than 12 inches from the building to which it is attached. One sign shall be permitted for each principal use. The total area of signs, other than the permitted free-standing sign noted above, shall not exceed two (2) feet times the street frontage, in feet, of the buildings.

No animated or pulsating signs shall be permitted.

(b) Residential, General

Within the areas designated Residential (R-A through R-E) on the Land Disposition Map, Exhibit No. 4, residential uses shall be limited to one or a combination of the following housing types: Single-Family Detached, Single-Family Semi-Detached and Single-Family or Multiple-Family Attached, and to residential uses corollary to housing, e.g. landscaping, parking, and recreational facilities.

It is the intent of this Plan that adequate play areas for pre-school age children be provided within each residential disposition lot permitting Multiple-Family Attached Dwellings. These play areas should be adequate to accommodate the approximate number of such children that will be residing within these lots.

It is the intent of this Plan that new residential construction be compatible with existing housing to remain in the Mount Winans Area.

i. Residential R-A

Within the areas designated R-A on the Land Disposition Map, Exhibit No. 4, residential use shall be limited to Single-Family Detached housing. The standards are set forth in the schedule below.

ii. Residential R-B

Within the areas designated R-B on the Land Disposition Map, Exhibit No. 4, residential use shall be limited to one or a combination of the following housing types: Single-Family Detached, Single-Family Semi-Detached. If a combination of housing types are (*sic!*) constructed, each portion of the disposition parcel devoted to a housing type shall be governed by the specific requirements applicable to such housing type. The standards are set forth in the schedule below.

iii. Residential R-C

Within the areas designated R-C on the Land Disposition Map, Exhibit No. 4, residential use shall be limited to one or a combination of the following housing types: Single-Family Detached, Single-Family Semi-Detached, Single-Family or Multiple-Family Attached. If a combination of housing types are (*sic!*) constructed, each portion of the disposition parcel devoted to a housing type shall be governed by the specific requirements applicable to such housing type. The standards are set forth in the schedule below.

iv. Residential R-D

Within the area designated R-D on the Land Disposition Map, Exhibit No. 4, residential use shall be limited to Single or Multiple-Family Attached housing. The standards are set forth in the schedule below.

v. Residential R-E

Within the area designated R-E on the Land Disposition Map, Exhibit No. 4, residential use shall be limited to landscaping, parking, and recreational facilities corollary to residential use.

SCHEDULE OF STANDARDS FOR RESIDENTIAL DEVELOPMENT

<u>Area Designation</u>	<u>Single-Family Detached</u>	<u>Single Family Semi- Detached</u>	<u>Single or Multiple Family Attached</u>
Minimum Lot Area (square feet)	5,000, except on Disposition Lots Nos. 8, 9, and 30 on which the minimum lot area shall be 3,200 sq. ft., and on Disposition Lots Nos. 10, 13, and 29 on which the minimum lot area shall be 4,800 sq. ft.	3,000	----
Maximum Density (families per acre)	----	-----	20
Maximum Building Height (stories)	2	2	3
Maximum Building Coverage (% of lot area)	35	35	40
Maximum In A Row	-----	-----	9
Minimum Off-Street Parking Spaces (No. Spaces/No. Families)	1/1 *	1/1 *	1/1 *
Minimum Off-Street Loading Spaces (No. Spaces/Lot)	-----	-----	1 for multiple family attached only
Minimum Landscaping (% of Lot Area)	20	20	20
Setbacks	For all setback requirements, see B.2.c.(2)(a)xi. _____		

\* - or in such lesser amount either as permitted as a matter of right in the Zoning Ordinance or as may be authorized by the Board of Municipal and Zoning Appeals as a Special Exception or Variance.

(c) Commercial

It is the intent of this Plan that Disposition Lot No. 2, Commercial Use, be developed as a neighborhood shopping area to provide for the needs of neighborhood residents. The building requirements are set forth below.

- i. Gross floor area shall not exceed 15,000 square feet, exclusive of basement storage area, and exclusive of office area.
- ii. Maximum building height shall not exceed two (2) stories.
- iii. Paved and landscaped off-street parking areas shall be provided at the minimum rate of one space per every 1,000 square feet of gross floor area, exclusive of basement storage area.
- iv. A minimum of one off-street loading space shall be provided for each 10,000 square feet of gross floor area, or fraction thereof, exclusive of basement storage area, and exclusive of floor area devoted to office.
- v. A minimum of 15% of the lot area shall be appropriately landscaped as provided for under the General Provisions.

(d) Public

i. Parks and Playgrounds

Except for such accessory or ornamental structures as may be necessary or appropriate for park and playground operation, no building shall be permitted.

- ii. No off-street parking or loading spaces are required.

(3) Provisions Applicable to Land to be Acquired Within Rehabilitation Areas

(a) Properties to be cleared and redeveloped

Certain properties in rehabilitation areas may be found to contain structures in such poor condition that they can be treated feasibly only by clearance and redevelopment rather than by rehabilitation. Such properties may be acquired by the Mayor and City Council of Baltimore and sold to private redevelopers for redevelopment. Covenants running with the land may be imposed, provided such covenants are consistent with the standards in the Zoning Ordinance. Such covenants may include appropriate provisions to govern the use, occupancy, maintenance, number of dwelling units, design, heights, parking, and land coverage of the property in question.

(b) Other properties to be acquired and resold

For properties acquired by the Mayor and City Council of Baltimore for resale for rehabilitation, covenants running with the land may be imposed to secure rehabilitation, remodeling, and/or improvement of the property in question, provided such covenants are consistent with the standards in the Zoning Ordinance and Codes. Such covenants may include appropriate provisions to govern the use, occupancy, maintenance, number of dwelling units, design, structural changes, and land coverage of the property in question.

d. Duration of Provisions and Requirements

The Mount Winans Urban Renewal Plan, as it may be amended from time to time, shall remain in full force and effect for a period of forty (40) years from the date of original adoption of this Renewal Plan by the Mayor and City Council of Baltimore.

e. Applicability of Provisions and Requirements to Property Not To Be Acquired

The provisions of Section B.2.b. (Permitted Uses) above shall apply to all properties not to be acquired within the project area. The provisions of Section B.2.c. shall apply as appropriate to properties not currently proposed to be acquired by this Plan if the owners thereof acquire adjacent project land made available by the Department of Housing and Community Development under the provisions of this Plan.

C. PROJECT PROPOSALS

1. Property Acquisition

A Property Acquisition Map is given below as Exhibit No. 3.

a. Reasons for Acquiring Properties Within the Project Area

(1) Clearance and Redevelopment

Properties to be acquired for clearance and redevelopment are identified on the Property Acquisition Map, Exhibit No. 3.

(2) Rehabilitation

Definitive determination as to acquisition of properties for rehabilitation will be made during execution in accordance with the provisions of the Plan.

(3) Public Facilities

Properties to be acquired for provision of public facilities are also identified on the Property Acquisition Map, Exhibit No. 3.



b. Conditions Under Which Properties Not Designated for Acquisition May Be Acquired

(1) Non-Salvable and Non-Compliance with Property Rehabilitation Standards

It may be necessary to acquire by purchase or by condemnation for Urban Renewal purposes the fee simple interest or any lesser interest in and to such of the remaining properties or portions thereof in the Mount Winans Project not specifically designated for acquisition on the Property Acquisition Map, Exhibit No. 3, as may be deemed necessary and proper by the Commissioner of Housing and Community Development to effect the proper implementation of the Project. This may include:

(a) Any property in the project area containing a non-salvable structure, i.e., a structure which in the opinion of the Commissioner of the Department of Housing and Community Development cannot be economically rehabilitated.

(b) Any property the owner of which is unable or unwilling to comply or conform to the Property Rehabilitation Standards set forth in Section C.2. of the Urban Renewal Plan within 12 months from the date of written notice of the required improvements, the Department of Housing and Community Development after due consideration that the property owner has failed to achieve substantial conformity with the said Property Rehabilitation Standards may acquire such property pursuant to the Eminent Domain Law of this State as if the property has originally been planned for acquisition after 90 days written notice to the owner. The Department of Housing and Community Development reserves the right to acquire any such non-complying property for a period of two (2) years from the date of said written 90 days notice by the Department of Housing and Community Development.

(2) Undesignated properties for acquisition for rehabilitation by the Department of Housing and Community Development

In such of the remaining properties not designated for acquisition on the Property Acquisition Map, and in addition to those properties enumerated in Section C.1.b.(1) above, it may be necessary to acquire by purchase or condemnation the fee simple interest, or any lesser interest, in order to carry out rehabilitation by the Department of Housing and Community Development. These properties will be acquired because:

(a) it is necessary to make residential structures available for use for low- or moderate-income families; or

(b) rehabilitation on a structure-by-structure basis is infeasible, and assemblage of a group of properties is required to carry out the objectives set forth in this Plan; or

(c) rehabilitation of individual, scattered properties is necessary in order to remove blighting influences from otherwise sound residential blocks.

c. Actions to be Taken by the Department of Housing and Community Development Upon Acquisition

(1) Demolish the structure or structures thereon and dispose of the land for redevelopment for uses in accordance with this Plan; or

(2) Sell or lease the property subject to rehabilitation in conformance with the codes and ordinances of Baltimore City and the rehabilitation standards and objectives set forth in this Plan; or

(3) Rehabilitate the property in conformance with the codes and ordinances of Baltimore City and the rehabilitation standards and objectives set forth in this Plan and dispose of property in accordance with applicable regulations. If sale cannot be consummated by the time rehabilitation is accomplished, units shall be rented pending continuing sale efforts.

2. Rehabilitation

The following property rehabilitation standards will apply to all structures within the project other than those structures within clearance areas. Cleaning of masonry façades by means of sandblasting shall not be permitted.

a. Over and above the codes and ordinances of the City of Baltimore the following additional standards shall be applied:

(1) Every dwelling unit shall contain within a room which affords privacy, a bathtub or shower, water closet and lavatory basin in good working condition, which shall be properly connected to the public sanitary sewer or to an approved sewage disposal system. The bathtub or shower and lavatory basin shall be properly connected to both hot and cold water lines, and the water closet shall be properly connected to a cold water line. All facilities shall be within and accessible from within the dwelling unit.

(2) Utility space which contains heat producing equipment shall be provided with exhaust ventilation to the outer air and air from such spaces shall not be recirculated to other parts of the building. Natural ventilation of spaces such as attics and enclosed basementless space shall be provided by openings of sufficient size to overcome dampness and minimize the effect of conditions conducive to decay and deterioration of the structure, and to prevent excessive heat in attics. All such exterior ventilation openings shall be effectively and appropriately screened.

(3) All lead base paint shall be removed from interior surfaces before repainting. Good repair shall include keeping properly painted or wallpapered all interior surfaces which are painted or wallpapered in normal practice.

(4) All windows must be tight-fitting and have sashes of proper size and design. Sashes with rotten wood, broken joints, or broken or loose mullion or muntins shall be replaced.

(5) Floors or floor covering in kitchen and bathrooms shall be of a durable, waterproof, non-absorptive material, such as asphalt, vinyl-asbestos, vinyl-plastic, rubber or ceramic tiles, terrazzo or linoleum, Wood finish flooring for these rooms is not acceptable.

(6) Unvented, open flame gas space heaters shall not be permitted.

(7) Every habitable room of every structure shall contain at least two separate duplex convenience electrical outlets except that any room other than a sleeping room or dining room with a perimeter of over 50 feet shall contain at least three separate duplex convenience electrical outlets.

(8) All of the provisions set forth herein and in Ordinance No. 902, approved December 22, 1966, shall be complied with whether the property is occupied or vacant.

(9) Signs

(a) No sign other than those identifying the structure upon which they are installed or identifying the use conducted therein shall be permitted.

(b) No sign shall project more than 12 inches from the building to which it is attached. No sign shall extend above the roof line or parapet wall of the building to which it is attached.

(c) No free-standing signs shall be permitted.

(d) No animated or pulsating signs shall be permitted.

(e) Any sign which is legally in place on the date of approval of this Plan which in any respect does not comply with or conform to the provisions of this section, either shall be removed or made to comply with or conform to the provisions of this section within three years from such date.

(f) Nothing in this section shall be construed to permit any signs otherwise prohibited by the laws, ordinances and regulations of the City of Baltimore.

(10) Manually operated water heaters shall not be permitted.

b. Additional Rehabilitation Standards

In addition to the enforcement of the codes and ordinances of the City of Baltimore and the required standards of this plan, the personnel engaged in inspectional, estimating and financing activities will be directed to seek the attainment of the objectives of the following:

(1) A degree of privacy shall be provided commensurate with suitable living conditions by means of the proper location of exterior openings to exterior conditions, and by the interior arrangement of rooms, particularly with reference to access to bathrooms from bedrooms.

Access to each dwelling unit shall be provided without passing through any other dwelling unit and access to all parts of the dwelling unit shall be possible without passing through a public hall. A bathroom shall not be used as a passageway to a habitable room, hall, basement or to the exterior. In dwelling units having more than one bedroom the only access to a single bathroom is not acceptable through any bedroom.

A bathroom shall not be separated from all bedrooms of a dwelling unit by locating it more than a full story above or below the bedrooms. A bedroom shall not be used as the only means of access to another bedroom or habitable room.

(2) Existing required exterior stairways may be repaired in kind, or if in safe and sound condition may continue to be used. Replacement or new installation of such stairways must be accomplished by use of non-combustible materials in accordance with the codes and ordinances of the City of Baltimore.

(3) In instances where exterior surfaces are defective or not structurally sound, the exterior walls shall be rebuilt or recovered by approved materials properly applied and considered to be acceptable to the trades, thus adding economic life to the structure.

(4) Where applicable, fences should be erected in yards in order to provide privacy for the occupants of the property and to generally improve the appearance of the community.

(5) All accessory structures shall be repaired, replaced or removed.

### 3. Statement of Proposals to Provide Low and Moderate Cost Housing

On project land to be disposed of for residential purposes a predominant amount of all dwelling units permitted by the Urban Renewal Plan shall be for low or moderate cost housing.

### 4. Redeveloper's Obligations

a. No covenant, agreement, lease, conveyance or other instrument shall be effected or executed by the Department of Housing and Community Development or by a Redeveloper or any of his successors or assigns, whereby land in the Urban Renewal Area is restricted by the Department, the Redevelopers or any successor in interest upon the basis of race, religion, sex, color, or national origin in the sale, lease, use or occupancy thereof. Appropriate covenants running with the land forever, which prohibit such restrictions, shall be included in the disposition instruments and the United States shall be deemed a beneficiary of such covenants and shall be entitled to enforce them. The Redeveloper shall comply with all state and local laws, in effect from time to time, prohibiting discrimination or segregation.

b. The Redeveloper shall agree to retain the interest he acquires in the property transferred to him until he has completed the improvement, construction, and development in the area required by this Plan and the disposition instruments, and he shall further agree not to sell, lease or otherwise transfer the interest he acquires or any part thereof without prior written consent of the Department of Housing and Community Development or until the Department shall have certified in writing that the Redeveloper has completed the improvements, construction, and development in the area.

c. The Redeveloper shall begin and complete the development of land for the uses required in the Plan and the construction of improvements agreed upon in the disposition instruments within a reasonable time as determined by said instruments.

d. In implementing Section 0.3. above, the Department of Housing and Community Development, under procedures developed by it, in the disposition of project land to redevelopers, will insure that some or all of the housing is made available at a sales price or rental that low- and moderate-income persons and families can afford.

#### 5. Priority

a. Businesses located within the project area, as of the date of approval of this Plan, shall be given a priority by the Department of Housing and Community Development, under procedures developed by it, in the disposition of commercial project land.

b. Residents located within the project area, as of the date of approval of this Plan, shall be given a priority by the Department of Housing and Community Development under procedures developed by it, in renting or purchasing such residential space as will become available within the project area.

#### 6. New Construction. Exterior Rehabilitation, Change in Use

All plans for new construction (including parking lots), exterior rehabilitation or change in use on any property not to be acquired under the provisions of this Plan shall be submitted to the Department of Housing and Community Development for review. Upon finding that the proposed plans are consistent with the objectives of the Urban Renewal Plan, the Commissioner of the Department of Housing and Community Development shall authorize the processing of the plans for issuance of a building permit. The provisions of this section are in addition to and not in lieu of all other applicable laws and ordinances relating to new construction.

#### 7. Demolition

All applications for demolition permits shall be submitted to the Department of Housing and Community Development for review and approval. Upon finding that the proposed demolition is consistent with the objectives of the Urban Renewal Plan, the Commissioner of the Department of Housing and Community Development shall authorize the issuance of the necessary permit. If the Commissioner finds that the proposal is inconsistent with the objectives of the Urban Renewal Plan and therefore denies the issuance of the permit, he shall, within 90 days of such denial, seek approval of the Board of Estimates to acquire for and on behalf of the Mayor and City Council of Baltimore the property, in whole or in part, on which said demolition was to have occurred by purchase, lease, condemnation, gift or other legal means for the renovation, rehabilitation and disposition thereof. In the event that the Board of Estimates does not authorize the acquisition, the Commissioner shall, without delay, issue the demolition permit.

#### D. OTHER PROVISIONS NECESSARY TO MEET STATE AND LOCAL REQUIREMENTS

The following information is required by Ordinance No. 152 of the Mayor and City Council of Baltimore, approved June 28, 1968.

## 1. Land Disposition

a. Land and property interests acquired by the Mayor and City Council within the project area will be disposed of by sale, lease, conveyance, or transfer or other means available to the City, in accordance with Exhibit No. 4, Land Disposition Map.

b. The parcels shown on the Exhibit No. 4, Land Disposition Map, as available for disposition are schematic and approximate. The Department of Housing and Community Development shall have the right, in its discretion, to fix their precise boundaries and size. For purposes of disposition, the parcels, or lots, as shown on Exhibit No. 4, Land Disposition Map, may be subdivided or combined.

## 2. Zoning

All appropriate provisions of the Zoning Ordinance of Baltimore City shall apply to properties in the Mount Winans Project Area. Existing zoning is shown on the Zoning Districts Map, Exhibit No. 5. No zoning changes are proposed as part of this Plan.

## 3. Reasons for the Various Provisions of this Plan

a. Existing land use within the project is predominantly residential. Renewal objectives can best be achieved by the rehabilitation and redevelopment of the area for residential use.

b. Clearance and redevelopment areas are proposed in order to remove concentrations of blight and to curtail deteriorating influences.

c. Structures are proposed for rehabilitation where survey data has indicated that they are basically sound and appropriate for residential use.

d. Open space and recreational facilities within the project have been shown to be deficient. The Plan proposes significant increases in public park/playground land, and through coverage and landscaping standards, will insure the provision of open space within disposition lots.

e. A new neighborhood shopping area is proposed to provide for the needs of neighborhood residents.

## E. PROCEDURES FOR CHANGES IN APPROVED PLAN

The Department of Housing and Community Development shall submit to the Mount Winans Civic Association, or its successor, for its review and comment, all proposed amendments to the Urban Renewal Plan no later than at the time the proposed amendments are submitted to the Director of the Department of Planning by the Department of Housing and Community Development. The written comments and recommendations for this review shall be transmitted to the Department of Housing and Community Development no later than three weeks after they have been submitted to the Mount Winans Civic Association, or its successor; otherwise, it is presumed the proposed changes are satisfactory. Prior to passage of any ordinance amending the Urban Renewal Plan, a public hearing shall be

held. The Mount Winans Civic Association, or its successor shall receive, at least ten days prior to such hearing, written notice of the time and place of such hearing. With respect to any land in the Project Area previously disposed of by the City for use in accordance with the Urban Renewal Plan, the then owner of such land whose interests therein are materially affected by such changes, shall receive at least ten days prior to such hearing written notice of the time and place of such hearing and information as to where a copy of the proposed amendments may be inspected.

#### F. SEPARABILITY

In the event it be judicially determined that any word, phrase, clause, sentence, paragraph, section or part in or of this Plan, or the application thereof to any person or circumstances is invalid, the remaining provisions and the application of such provisions to other persons or circumstances shall not be affected thereby, it being hereby declared that the remaining provisions of the Plan without the word, phrase, clause, sentence, paragraph, section or part, or the application thereof, so held invalid would have been adopted and approved.

Exhibit 2: Land Use Plan

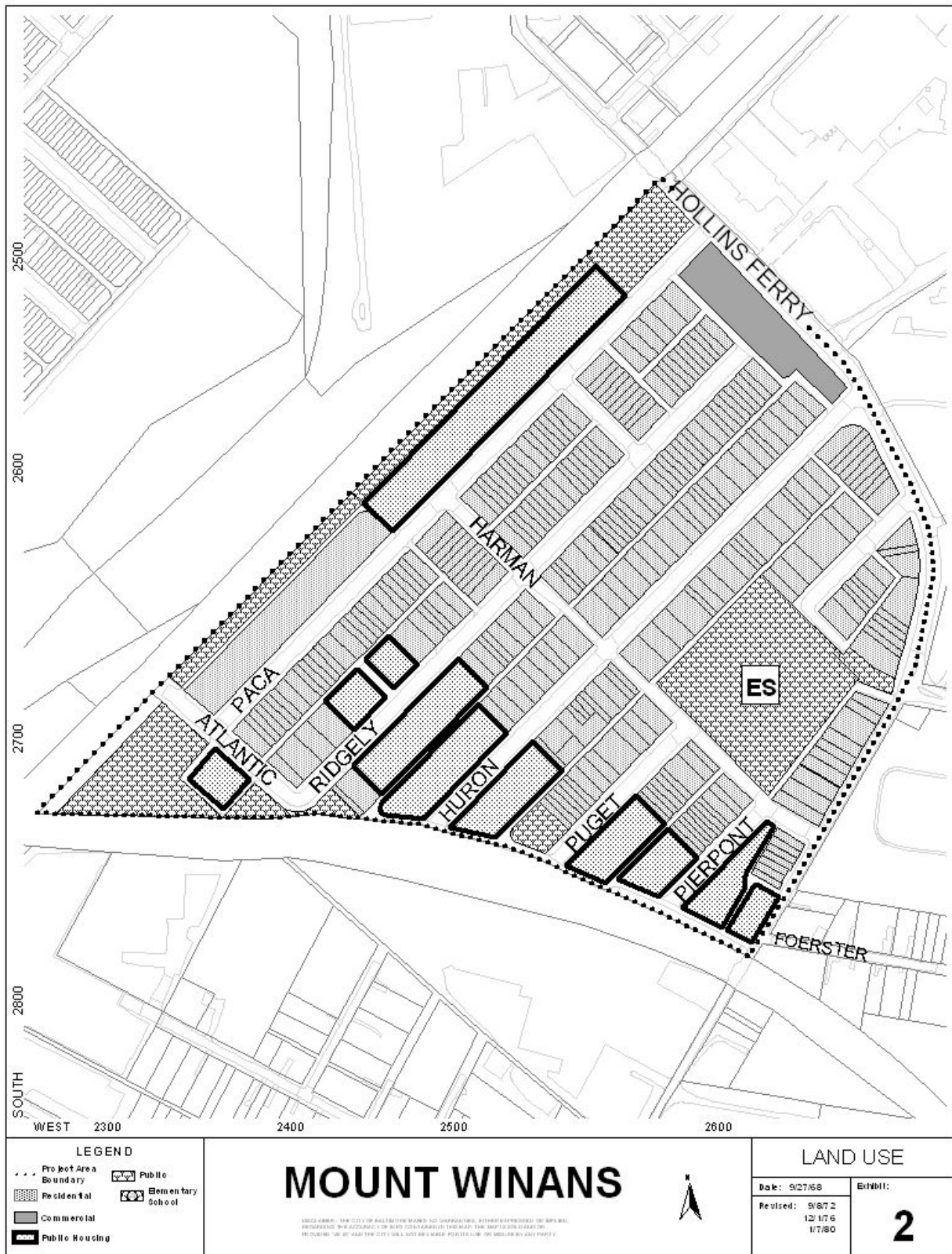




Exhibit 3: Property Acquisition

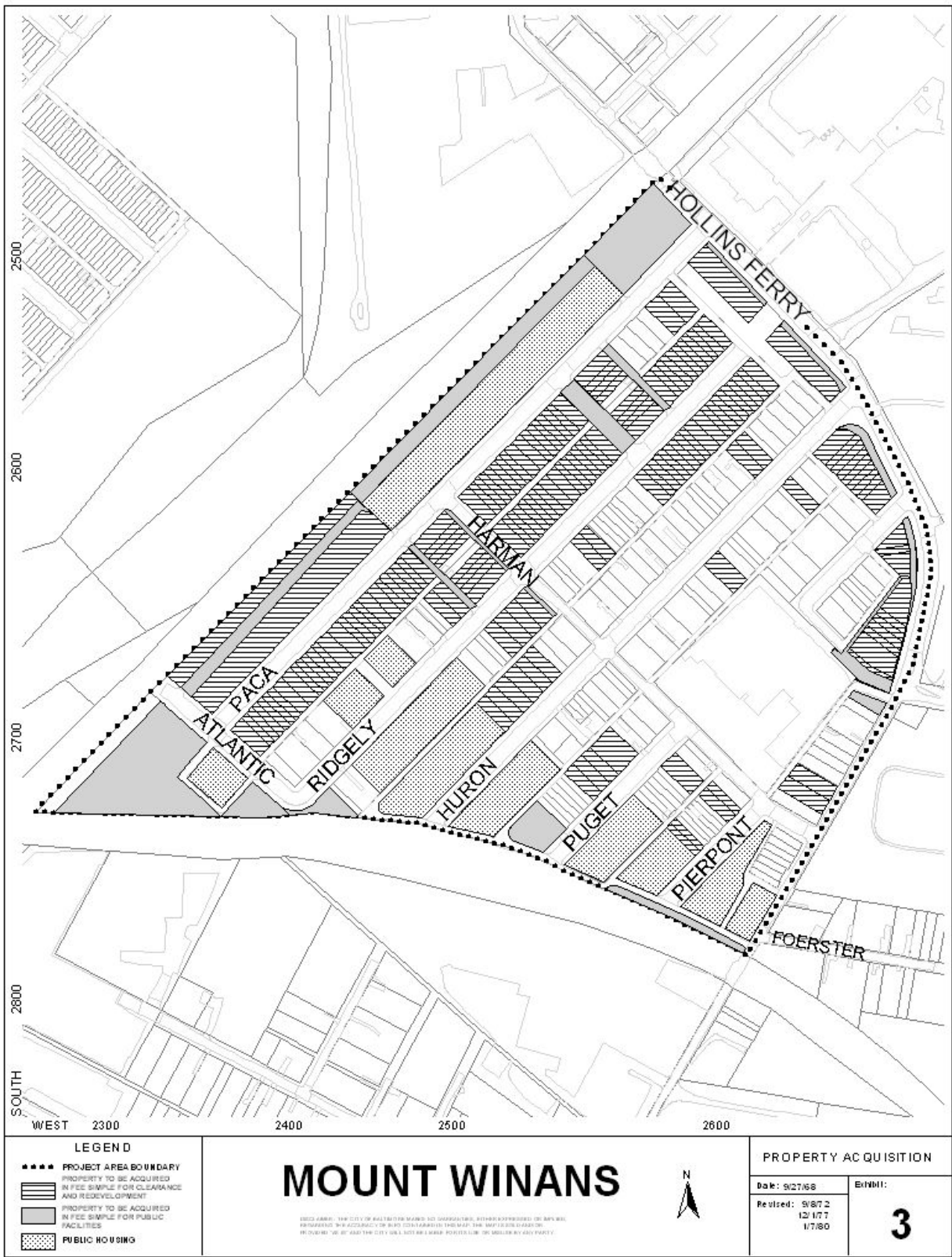


Exhibit 4: Land Disposition

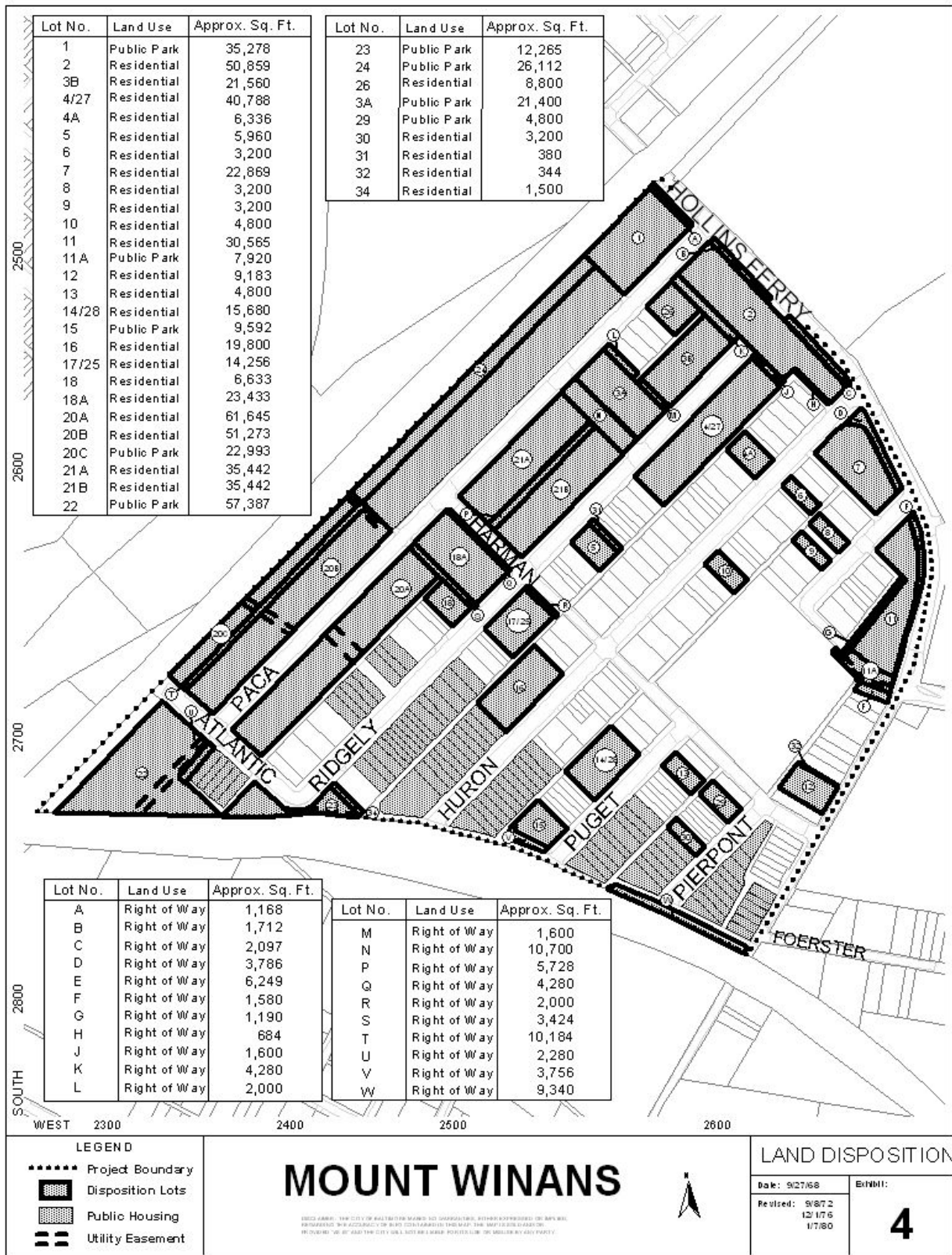


Exhibit 5: Zoning Districts

